

Mrs. Jessie Ting  
Deputy Secretary of the Information Technology and Broadcasting Bureau  
Hong Kong Special Administrative Region Government

***BY FAX***

December 3, 1999

Dear Mrs. Jessie Ting

In view of the crucial role the Electronic Transaction Bill and its soon coming passage, yesterday I engaged in a deep discussion on the ETB with the IT professionals, and we came up with some comments and questions which I here address to you for your kind considerations and response:

1. Mechanism for Appeal

Clause 27 has given the power to the Secretary to confirm, vary or reverse the decision of the Director when a certificate authority lodges an appeal. We suggest that the appeal system might become more effective and fair if the power of overruling or sustaining the Director's decisions is given to an Appeal Board that is composed of representatives and deputation from the industry instead of given to the Secretary alone. You may also consider having the Secretary to chair the Appeal Board.

2. Inquiry on the Advisory Committee

Regarding the composition and functions of the Advisory Committee, it would be very helpful if you would kindly address to the Bills Committee with more detailed proposal. It would also be useful if you can clarify the responsibility of reviewing the assessments and compliant reports of the certificate authorities.

3. Inquiry on the responsibility of a revoked CA

Regarding clause 27C, would the government please consider whether it is appropriate to add that a revoked or suspended certificate authority should notify its clients of its services are not recognized.

#### 4. Disclosure of Record

Regarding clause 27, would the government consider specifying what information should be included in the disclosure record.

Should you need to contact me regarding the Electronic Transaction Bill, please do not hesitate to send me an email to [chungkai@hknet.com](mailto:chungkai@hknet.com) or give me a call at 7223 9520 or 2509 3211. Thank you for your attention and I look forward to hearing your opinion on the above issues.

Regards,

Sin Chung Kai

Legislative Councillor (Information Technology)

Chairman of the Bills Committee on the Electronic Transaction Bill

c.c. Ms. Salumi Chan, Secretary of the Bills Committee of the Electronic Transaction Bill  
and Members of the Bills Committee on the Electronic Transaction Bill